



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,805	12/11/2003	Akio Matsubara	6453P021	3908
8791 7590 10/15/2007 BLAKELY SOKOLOFF TAYLOR & ZAFMAN 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040			EXAMINER HUNG, YUBIN	
			ART UNIT 2624	PAPER NUMBER
			MAIL DATE 10/15/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/734,805

Applicant(s)

MATSUBARA, AKIO

Examiner

Yubin Hung

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment/Arguments

1. This action is in response to amendment filed 09/06/07, which has been entered.
2. Claims 1-13 are still pending.
3. In view of Applicant's amendment, the objection to claim 1 has been withdrawn.
4. Amended drawings have not been received; therefore the objection to the drawings is maintained.
5. In view of Applicant's amendment, the 35 USC § 112 rejections have been withdrawn.
6. In view of Applicant's amendment, the 35 USC § 101 rejections have been withdrawn.
7. Applicant's arguments have been fully considered but they are not persuasive; see below.

8. In remarks Applicant argued in substance:

8.1 *that Hagiwara's teachings are irrelevant (P. 8, last paragraph)*

However, as recited in the previous Office action, Hagiwara teaches the determination of whether a data file (compiled program code, or method, in this case) is compressed and if compressed, the compression mode and decompress the data file accordingly (if it has not already been decompressed) [per the analysis and rejection of claim 1 in the Office action mailed 06/04/07]. Since the concerned claim element is to determine whether a file is compressed or not and if compressed whether the compression mode is JPEG 2000, Hagiwara clearly teaches this element and is very relevant. Therefore the argument is not persuasive. [Note that while not relied upon for the rejection of claim 1, US 6,870,962 to Lee et al. cited in the previous Office action also teaches determining the compression of a file and decompressing accordingly, see Figs. 8 and 10.]

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parker et al. (US 7,106,366), Hagiwara et al. (US 7,065,751) and APA (admitted Prior Art: Figs. 1-6, PP. 2-3, paragraphs 7-9 and PP. 9-13, paragraphs 29-44).

11. Regarding claim 1, and similarly claims 12 and 13, Parker discloses

- a decompression unit to perform a decompression process on an image file compressed using a format other than the JPEG 2000 format [Fig. 4, refs. 219 (compressed image) & 404 (decompression unit); claim 5 on Col. 20 (non-JPEG 2000 compression)]
- a compression unit to perform a compression process on a non-compressed image or the image file decompressed by the decompression unit using a JPEG 2000 format [Fig. 4, ref. 406; Col. 10, lines 14-16]
- a compression execution unit (that) decompresses the image file by use of the decompression unit and compressing the decompressed image file using the JPEG 2000 format by use of the compression unit in a case where (the determination unit determines that) the image file corresponds to a compressed file compressed using a format other than the JPEG 2000 format [Fig. 4, ref. 400 (the compression execution unit); Col. 9, line 66-Col. 10, line 16. Note that the determination unit is taught by Namizuka, see below]

Note that the compression execution unit [Fig. 4, ref. 400] has the capability of JPEG 2000-compressing uncompressed images (see Fig. 4, refs. 405 and 406). In addition, in Fig. 2a, ref. 206 of Parker further discloses compressing an image file using the JPEG 2000 format for non-compressed image files (see also Col. 4, lines 13-15; Col.

Art Unit: 2624

20, claim 6). Therefore at the time of the invention it would have been obvious to one of ordinary skill in the art to modify the compression execution unit as disclosed in Fig. 4 to separately receive and JPEG 2000-compress un-compressed image files. The motivation would have been to give the unit additional capability, namely to be able to perform JPEG 2000 compression of uncompressed file, in addition to transcoding.

Parker does not expressly disclose the following, but Hagiwara does:

- a determination unit to determine that the image file corresponds to at least one of a non-compressed file and a compressed file compressed using a format other than the JPEG 2000 format
[Fig. 1, ref. 2 (determination unit); Fig. 3, refs. 48 (indicating whether a file is compressed or not) & 52 (indicating the compression mode); Col. 1, line 65-Col. 2 line 8; Col. 5 lines 7-14. Note that per Fig. 5 and Col. 5, lines 24-41, the CPU is considered the determination unit]

Parker is combinable with Hagiwara because they both have aspects that are from the same field of endeavor of compression/decompression. At the time of the invention, it would have been obvious to modify Parker with the teaching of Hagiwara so that information regarding a file's compression status and compression mode are recorded and later determined for decompression. The motivation would have been to be able to decompress (or not decompress, if uncompressed) a file correctly, as Hagiwara indicates in Col. 1, line 64-Col. 2, line 5.

The combined invention of Parker and Hagiwara does not expressly disclose the following, which is taught by APA

- an extraction output unit to extract from the compressed image file compressed by the compression unit a plurality of blocks corresponding to a region of interest designated by the designation allowing unit, and outputting the extracted image file
[P. 3, lines 1-2]

The combined invention of Parker and Hagiwara is combinable with APA because they both have aspects that are form the same field of endeavor of compression.

At the time of the invention, it would have been obvious to modify the combined invention of Parker and Hagiwara with the teaching of APA as recited above. The motivation would have been to be able to improve communication speed and memory consumption, as APA indicates in P. 3, lines 2-5.

Therefore it would have been obvious to combine Parker, Hagiwara and APA to obtain the invention as specified in claim 1.

12. Regarding claims 2 and 3, note that both tiles and precincts are units for dividing/organizing (often large) images that are supported in the JPEG 2000 standard, and it would have been obvious to one of ordinary to extract image data using either as output unit as appropriate for the underlying applications (for example, if the available memory is small, then tile is often used to lower memory requirement; see APA, especially paragraphs 7 and 8).

13. Regarding claims 4 and 5, APA further disclose the use 5x3 filter bank (claim 4) and 9X7 filter bank (claim 5) [P. 12, last four lines of paragraph 40].

14. Regarding claims 7 and 8, APA further discloses processing ROI in block units of tiles and precincts (and therefore would have been obvious to extract ROIs in such block units) [P. 2, paragraph 8].

15. Regarding claim 9, since in JPEG 2000 an image is usually coded at multiple resolution levels, it would have been obvious to extract the ROI only at the desired resolution (i.e., to adjust the resolution to the desired level); for example, it is well known and widely used in the art to only extract the ROI at the lowest resolution level for display as a thumbnail.

16. Regarding claim 10, note that JPEG 2000 supports arranging data in different progressions such as precinct-color component-resolution (e.g., see Fig. 1, ref. 12 and paragraph 35 of Wee et al.: US 2005/0084132) and it is well known in the art that many monitors are monochrome in nature. Therefore it would have been obvious to extract monochrome images only (e.g., the green component of a color image) in order to display on such monitors.

17. Regarding claim 11, note that JPEG 2000 supports progressive transmission (and display) of images and (e.g., see Fig. 1, ref. 12 and paragraphs 32 and 35 of Wee et al.: US 2005/0084132) progressions that also include layers (representing different image details); therefore it would have been obvious to extract and output successive layers so that the transmission of layers can be terminated once the desired image

details have been received and displayed. In this way the computing (such as required for extraction and decoding) and transmission cost can be reduced.

Conclusion and Contact Information

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

19. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yubin Hung whose telephone number is (571) 272-7451. The examiner can normally be reached on 7:30 - 4:00. If attempts to reach the

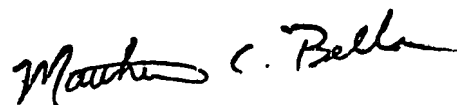
Art Unit: 2624

examiner by telephone are unsuccessful, the examiner's supervisor, Matthew C. Bella can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

21. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Yubin Hung
Patent Examiner
Art Unit 2624

October 9, 2007



MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600